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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
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09/143,343 08/28/98 BOYS

M P644

024739 WM02/1205  
CENTRAL COAST PATENT AGENCY  
PO BOX 187  
AROMAS CA 95004

EXAMINER
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TRAN, T

ART UNIT	PAPER NUMBER
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2615

DATE MAILED: 12/05/00

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

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# Office Action Summary

Application No.  
09/143,343

Applicant(s)

Boys

Examiner

Thai Tran

Group Art Unit  
2615



☐ Responsive to communication(s) filed on \_\_\_\_\_

☐ This action is **FINAL**.

☐ Since this application is in condition for allowance except for formal matters, **prosecution as to the merits is closed** in accordance with the practice under *Ex parte Quayle*, 35 C.D. 11; 453 O.G. 213.

A shortened statutory period for response to this action is set to expire 3 month(s), or thirty days, whichever is longer, from the mailing date of this communication. Failure to respond within the period for response will cause the application to become abandoned. (35 U.S.C. § 133). Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

## Disposition of Claim

☒ Claim(s) 1-16 is/are pending in the application.

Of the above, claim(s) \_\_\_\_\_ is/are withdrawn from consideration.

☐ Claim(s) \_\_\_\_\_ is/are allowed.

☒ Claim(s) 1-16 is/are rejected.

☐ Claim(s) \_\_\_\_\_ is/are objected to.

☐ Claims \_\_\_\_\_ are subject to restriction or election requirement.

## Application Papers

☒ See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.

☐ The drawing(s) filed on \_\_\_\_\_ is/are objected to by the Examiner.

☐ The proposed drawing correction, filed on \_\_\_\_\_ is ☐ approved ☐ disapproved.

☐ The specification is objected to by the Examiner.

☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. § 119

☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).

☐ All ☐ Some\* ☒ None of the CERTIFIED copies of the priority documents have been  
☐ received.

☐ received in Application No. (Series Code/Serial Number) \_\_\_\_\_

☐ received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\*Certified copies not received: \_\_\_\_\_

☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

## Attachment(s)

☒ Notice of References Cited, PTO-892

☐ Information Disclosure Statement(s), PTO-1449, Paper No(s). \_\_\_\_\_

☐ Interview Summary, PTO-413

☒ Notice of Draftsperson's Patent Drawing Review, PTO-948

☐ Notice of Informal Patent Application, PTO-152

--- SEE OFFICE ACTION ON THE FOLLOWING PAGES ---

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## DETAILED ACTION

### *Specification*

1. The title of the invention is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed.

### *Claim Rejections - 35 USC § 102*

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 1-16 are rejected under 35 U.S.C. 102(b) as being anticipated by Moe ('430).

Moe discloses an add-on recorder for a radio apparatus (Fig. 7) having tuning circuitry (74 and 75 of Fig. 7) for selecting a channel from an input rf spectrum; an output (AUDIO OUT TO SPEAKERS of Fig. 7) for driving a speaker system with an audio presentation derived from the selected channel; a recording apparatus having a memory (80 of Fig. 7) with capacity for recording a fixed time duration T of the audio presentation, and adapted to make an audio record sequentially in a circular fashion, such that when the memory capacity is filled, the device continues to record, overwriting the oldest recorded information, providing thereby, at any point in time, a stored copy of time duration T immediately preceding the point in time as recited in

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claim 1; an input (73 and 74 of Fig. 7) for receiving an analog audio signal stream from a radio as recited in claim 5; having tuning circuitry (column 4, lines 35-59) for selecting a channel from an input video spectrum; an output (column 4, lines 35-59 and 51-1 and 52-1 of Fig. 4) for driving a television display with a video presentation derived from the selected channel; a recording apparatus having a memory (13 of Fig. 2 and column 4, lines 35-59) with capacity for recording a fixed time duration T of the video presentation, and adapted to make a video record sequentially in a circular fashion, such that when the memory capacity is filled, the apparatus continues to record, overwriting the oldest recorded information, providing thereby, at any point in time, a stored copy of time duration T immediately preceding the point in time as recited in claim 9; an input (column 4, lines 35-59) for receiving a video data stream as recited in claim 13; wherein the recording apparatus comprises a tape recorder adapted to record in a circular fashion (column 3, lines 55-66) as recited in claims 2, 6, 10 and 14; an A/D converter, wherein the memory is a digital memory managed to record sequentially in a circular fashion, and the received analog audio/video signal stream is sent to the speaker system/television display via the output and simultaneously digitized and recorded in the digital memory (column 3, lines 55-66 and column 7, lines 35-54) as recited in claims 3, 7, 11 and 15; and further comprising user-operable inputs (column 4, lines 35-59) for interrupting circular recording, selecting beginning positions for playback, and playing back the recorded data as recited in claims 4, 8, 12 and 16.

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*Conclusion*

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

The cited references relate to an apparatus for recording audio/video signal.

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thai Tran whose telephone number is (703) 305-4725.

**Any response to this action should be mailed to:**

Commissioner of Patents and Trademarks  
Washington, D.C. 20231

**or faxed to:**

(703) 308-6306 or (703) 308-6296, (for informal or draft communications, please label "PROPOSED" or "DRAFT")

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA., Sixth Floor (Receptionist).

TTQ

November 29, 2000

  
THAI TRAN  
PRIMARY EXAMINER